

## REMARKS

Claims 1-15 stand rejected. Claims 1-15 remain pending in this patent application. Applicants respectfully request further examination and reconsideration in view of the remarks set forth below. Applicants respectfully submit that the amendments to this patent application herein do not add new matter to it.

### 35 U.S.C. §102 Rejections

Claims 1-15 are rejected under 35 U.S.C. §102(e) as being anticipated by Mogul et al., US Patent Number 6,243,761 (hereinafter Mogul).

### CLAIM 1

Applicants respectfully contend that Mogul fails to teach or suggest subject matter recited in newly amended independent Claim 1. For instance, amended Claim 1 recites in part (emphasis added):

the adaptive load control system supports a co-existence of multiple performance-isolated virtual servers such that performance levels and load adaption decisions of a first virtual server does not affect that of a second virtual server.

Applicants respectfully assert that Mogul does not teach or suggest an adaptive load control system that supports a co-existence of multiple performance-isolated virtual servers as recited in amended Claim 1. Specifically, Applicants respectfully contend that Mogul is silent on virtual servers.

Since Mogul fails to teach or suggest at least one element recited in amended Claim 1, Applicants respectfully assert that Mogul does not anticipate the subject matter recited in amended Claim 1. Therefore, Applicants respectfully submit that amended Claim 1 is allowable over Mogul.

### CLAIM 9

Applicants respectfully assert that Mogul does not teach or suggest subject matter recited in newly amended independent Claim 9. For instance, amended Claim 9 recites in part (emphasis added):

supporting with an adaptive load control system a co-existence of multiple performance-isolated virtual servers such that performance levels and load adaption decisions of a first virtual server does not affect that of a second virtual server;

Applicants respectfully contend that Mogul fails to teach or suggest supporting with an adaptive load control system a co-existence of multiple performance-isolated virtual servers as recited in amended Claim 9. Specifically, Applicants respectfully contend that Mogul is silent on virtual servers.

Since Mogul does not teach or suggest at least one element recited in amended Claim 9, Applicants respectfully assert that Mogul does not anticipate the subject matter recited in amended Claim 9. Therefore, Applicants respectfully submit that amended Claim 9 is allowable over Mogul.

### CONCLUSION

In light of the above listed remarks, Applicants respectfully request reconsideration of rejected Claims 1-15.

Based on the remarks presented above, Applicants respectfully assert that Claims 1-15 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

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Dated: 8/12/04



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